

COUNTY OF SAN DIEGO
STATEMENT OF PROCEEDINGS
REGULAR MEETING OF BOARD OF SUPERVISORS
TUESDAY, MARCH 14, 2000

MORNING SESSION – Meeting was called to order at 9:10 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Ron Roberts, Vice Chairman; Greg Cox; Pam Slater; and Bill Horn; also Thomas J. Pastuszka, Clerk.

Invocation by Pastor Mike Wilson from Mt. Miguel Covenant Church.

Pledge of Allegiance to the Flag led by the Student Council from Monterey Heights School, Leah Washington, Beth Amann, Ashley Lawson, and Mario Estrada.

Approval of Statement of Proceedings/Minutes for meetings of February 8, 2000 and February 15, 2000.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of February 8, 2000 and February 15, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

AFTERNOON SESSION – Reconvened at 2:08 p.m. Supervisors Jacob, Chairwoman; Roberts, Vice Chairman; Cox, Slater and Horn being present.

Board of Supervisors' Agenda Items

Category	Agenda No.	Subject
Community Services	1.	Development of the County Administration Center Parking Lots and Kettner/Cedar Property (Also Set Hearing for 6/20/00, 9:00 a.m.) This item has been set for a 10:00 a.m. Time Certain
	2.	Noticed Public Hearing: Recommended Fy 2000-2001 Annual Funding Plan and Fy 2000-2005 Consolidated Plan for Community Development Block Grant, Home Investment Partnerships, Emergency Shelter Grant, and Housing Opportunities for Persons With AIDS Programs

Category	Agenda No.	Subject
	3.	Fair Housing Planning: Acceptance of Analysis of Impediments (AI) to Fair Housing Choice In San Diego County
	4.	Community Development Block Grant and Home Investment Partnerships Grant Reallocations [Funding Source(s): Community Development Block Grant (\$125,605) and HOME Investment Partnerships Grant (\$356,248).]
	5.	Set Hearing for 4/11/00, 9:00 a.m. Intention to Sell Real Property – 610 & 620 Tenth Street, Ramona – County Parcel 96-0059-A, 96-0060-A (4 VOTES)
	6.	Set Hearing for 5/2/00, 9:00 a.m. Intention to Enter Into an Option to Purchase and Sale of Surplus Real Property – Melru Lane, Deer Park, North of Escondido - County Parcel No. 99-0218-A (4 VOTES)
	7.	Housing Opportunities for Persons With AIDS (HOPWA) Funding Recommendations [Funding Source(s): Housing Opportunities for Persons with AIDS program]
	8.	The Clean Contracting Charter Amendment Initiative [Funding Source(s): Registrar of Voters FY 00-01 budget]
	9.	Newsline Newspaper Project for the Reading Impaired Second Year Grant Acceptance (4 VOTES)
Land Use and Environment	10.	Ratify Proclamation of Local Emergency for Damaging Conditions Caused By the Mexican Fruit Fly Infestation of October 1999
	11.	Approval of Revenue Contracts With the State of California

Category	Agenda No.	Subject
	12.	McClellan-Palomar Airport -- Resolution Approving Application to Federal Aviation Administration for Noise Control and Land Use Compatibility Study Grant (Carryover Item From 6/20/00, Agenda No. 48) [Funding Source(s): Federal Airport Improvement Program and the Airport Enterprise Fund]
Health and Human Services Agency	13.	Nutrition Education for Lead Poisoning Prevention (4 VOTES)
	14.	Appropriation of New HIV Prevention Funds (4 VOTES)
	15.	Procurement of Refugee Elderly Services [Funding Source(s): Federal Office of Refugee Resettlement]
Public Safety	16.	Child Support Enforcement Program Lease (4 VOTES)
	17.	Approval to Travel Out of Country
	18.	Sheriff's Department Acceptance of California DNA Consortium Program Grant from the Office of Criminal Justice Planning [Funding Source(s): California Office of Criminal Justice Planning] (4 VOTES)
	19.	Sheriff Department's Procurement of Hazardous Duty Mobile Robot [Funding Source(s): Brulte Funds]
	20.	Additional Service Credit for Retirement Pertaining to One Department
	21.	Sheriff's Department Request for Approval of Out of Country Travel [Funding Source(s): Sheriff's FY 1999/2000 budget]

Category	Agenda No.	Subject
Financial/General Government	22.	San Diego Museum of Art – Tax Exempt Financing
	23.	Amendments to the Compensation Ordinance
	24.	Expanding Educational Opportunities for County Employees
Communications Received	25.	Communications Received
Appointments	26.	Administrative Item: Appointments
Closed Session	27.	Closed Session
Presentation/ Proclamations	28.	Presentations/Proclamations
Public/ Communications	29.	Public Communications

1. **SUBJECT: Development of the County Administration Center Parking Lots and Kettner/Cedar Property (Also Set Hearing for 6/20/00, 9:00 a.m.)**
(Supv. Dist: 1)

OVERVIEW:

On May 11, 1999 (32) the Board approved going forward with the issuance of a Request for Qualifications (RFQ) for development of the County Administration Center parking lots and directed that the Chief Administrative Officer return to the Board with a Request for Proposals for these development opportunities. An RFQ was issued on November 1, 1999 and six responses were received. An evaluation committee has reviewed the responses and developed a recommended "short list". The Board is asked to approve the short list of developers and issue a Request for Proposals.

The primary issues to be discussed at this workshop are as follows: 1) What intensity and type of development and public amenities would the Board find acceptable on the County Administration Center parking lots; 2) Is the County willing to provide a subsidy to the proposed development(s) in return for public amenities; 3) Where and to what extent should replacement parking be provided for existing County employees and the public; and 4) What are the urban design considerations.

FISCAL IMPACT:

On March 16, 1999 (13) the Board transferred \$125,000 from the Community Services Group Management Reserves to the Department of General Services for Professional and Specialized Services for evaluation and selection of a master developer for the County Administration Center parking lots. No additional funds will be required relative to the evaluation of responses to the Request for Proposals and negotiation of a development agreement with the selected developer.

BUSINESS IMPACT STATEMENT:

This proposal will have a positive impact on the business community because it will assist in the revitalization of the North Embarcadero area and the Little Italy community.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Provide policy direction on the proposed amount, type, and mix of development on the County Administration Center parking lots and Kettner/Cedar property.
2. Pursuant to the findings of the Evaluation Committee for responses to the Request for Qualifications, recommend that the following developers be allowed to respond to a Request for Proposals: a) Lankford and Associates/Reliance Partners b) Watt Commercial/Jonathan Segal c) Point Loma Partners (Dealy Development, Tuchscher Development, Jones Lang La Salle, Olson Company).
3. Authorize the issuance of a Request for Proposals (RFP) and adopt the attached resolution, "Resolution of the County of San Diego Declaring Its Intent to Consider Proposals to Develop the County Administration Center Parking Lots and the Kettner/Cedar Property".

ACTION:

On MOTION of Supervisor Cox, seconded by Supervisor Slater the Board of Supervisors took action as recommended with direction that there be no subsidy from the County with the possibility that the parking structure could be dealt with as a County-owned and operated facility which would be worked into the overall deal structure; with clarification on Recommendation 1 for Scheme 1, directing the Chief Administrative Officer to separate the financial/cost issue of the public parking versus the private sector portion of the development; directing the Chief Administrative Officer and team to provide the Board with proposals on the Kettner/Cedar site and what could be done there to incorporate parking along with some retail options noting that any future proposals should identify County benefits, and future diagrams of the site will include changes to the medians on Pacific Highway for improved ingress and egress from the property, which are part of the North Embarcadero Visionary Plan, adopting Resolution No. 00-49, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO COUNTY DECLARING ITS INTENTION TO CONSIDER PROPOSALS TO DEVELOP THE COUNTY ADMINISTRATION CENTER PARKING LOTS AND THE KETTNER/CEDAR PROPERTY, setting Hearing for June 20, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater

NOES: Roberts, Horn

2. **SUBJECT: Noticed Public Hearing:**
Recommended FY 2000-2001 Annual Funding Plan and FY 2000-2005 Consolidated Plan for Community Development Block Grant, Home Investment Partnerships, Emergency Shelter Grant, and Housing Opportunities for Persons With Aids Programs
(Supv. Dist: All)

OVERVIEW:

Following public testimony on the Preliminary Proposed FY 2000-2001 Annual Funding Plan and FY 2000-2005 Consolidated Plan for the Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant, and Housing Opportunities for Persons with AIDS Programs, this as recommended, on Consent will approve these Plans in principle. It will also direct staff to return to the Board of Supervisors with any additional information required following a 30-day public review and comment period. These preliminary recommendations follow the Board's previously approved FY 2000-2001 Annual Funding Plan Strategy to allocate a formula-defined portion of the entitlement funds to participating and HOME Consortium cities and to the unincorporated area of the County. The four U.S. Department of Housing and Urban Development programs provide funds for revitalization of lower income communities, development of affordable housing for low income residents and persons with special needs, and implementation of homeless assistance programs.

FISCAL IMPACT:

This request has no fiscal impact. When finally approved on May 2, 2000, the FY 2000/2001 Annual Funding Plan for the Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant, and Housing Opportunities for Persons with AIDS Programs is expected to result in federal revenues totaling \$12,544,000. The funding will be used for community development, housing and emergency shelter grant projects, and affordable housing and services for persons with HIV/AIDS and their families. Assuming that the four entitlement programs are funded at a constant level during the next five years, it is expected that \$62,720,000 in federal revenues would be received during the five-year period of the Consolidated Plan.

BUSINESS IMPACT STATEMENT:

This recommendation will have a positive impact on the business community. Many of the recommended projects include construction which will be implemented by private firms selected through a competitive bid process.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Receive public testimony on the Proposed FY 2000-2001 San Diego County Annual Funding Plan and FY 2000-2005 Consolidated Plan, outlining the proposed use of the County's Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant, and Housing Opportunities for Persons with AIDS funds.
2. Approve the Proposed FY 2000-2001 Annual Funding Plan and FY 2000-2005 Consolidated Plan in principle, and direct the Chief Administrative Officer to return to the Board of Supervisors by May 2, 2000, with responses to any Board referrals.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater, the Board of Supervisors closed the Hearing, took action as recommended and directed the Chief Administrative Officer to allocate \$20,000 out of this year's contingency for the Vista Homeless Shelter; directed the Chief Administrative Officer to investigate the possibility of allocating \$20,000 for the design of the Julian Jesse Martin Community Center and report back to the Board; further directed the Chief Administrative Officer to investigate the feasibility of allocating \$40,000 towards paving a walkway in Old Ironsides Park; and directed the Chief Administrative Officer to meet with Lakeside's Revitalization Committee and report back with recommendations for improving safety conditions for senior citizens and children on Channel Road.

AYES: Jacob, Slater, Horn

ABSENT: Cox, Roberts

3. **SUBJECT: Fair Housing Planning: Acceptance of Analysis of Impediments (AI) to Fair Housing Choice In San Diego County (Supv. Dist: All)**

OVERVIEW:

San Diego County as a recipient of federal entitlement funds is required to develop a Fair Housing Planning process as part of its Consolidated Plan. Grantees are required to undertake Fair Housing Planning (FHP) activities consisting of: the completion of an AI (Analysis of Impediments to Fair Housing Choice); actions to eliminate any identified impediments; and maintenance of AFFH (Affirmatively Furthering Fair Housing) records. Recent contracts and work performed by the Fair Housing Council of San Diego are a response to these requirements.

FISCAL IMPACT:

Funds are budgeted and available in the Department of Housing and Community Development multi-year budget for the on-going conduct of Fair Housing Planning (FHP) activities.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Accept the Analysis of Impediments to Fair Housing Choice developed by the Fair Housing Council of San Diego and submit that report to the U.S. Department of Housing and Urban Development (HUD) in partial fulfillment of Fair Housing Planning requirements.
2. Authorize the allocation of \$5,170 in Community Development Block Grant Housing Development funds to the Fair Housing Council of San Diego County as the County contribution toward a regional audit (testing) of housing practices in lending, insurance, accessibility, and rentals.
3. Authorize the Director, Department of Housing and Community Development to negotiate, execute, and amend any necessary contracts to participate in the regional audit in consultation with County Counsel.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Slater, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: Community Development Block Grant and Home Investment Partnerships Grant Reallocations**
(Supv. Dist: 1,2)

OVERVIEW:

The Community Development Block Grant (CDBG) and HOME Investment Partnerships Programs provide federal U.S. Housing and Urban Development funds for the revitalization of lower income communities and the development of affordable housing in the County.

The requested actions will: A) approve the reallocation of \$125,605 in Community Development Block Grant funds, and B) approve the reallocation of \$356,248 in City of Santee HOME Investment Partnerships funds.

FISCAL IMPACT:

Funds for this request are budgeted. The funding source is \$125,605 in Community Development Block Grant funds, and \$356,248 in HOME Investment Partnerships Program funds. If approved, this request will result in \$481,853 current year costs, no annual cost, and will require the addition of no staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Authorize the publication of any required "Notices to the Public of Request for Release of Funds" for the recommended projects and authorize the Chairwoman of the Board of Supervisors to execute such Requests and Certifications following environmental processing.
2. Approve and authorize the reallocation of \$125,605 in Community Development Block Grant (CDBG) Contingency Reserve funds to the FY 1999/2000 City of Coronado Public Facilities Removal of Barriers Project.
3. Approve and authorize the transfer of appropriations in the amount of \$125,605 in the Housing and Community Development Multi-Year Project Budget from Org. 5252, Account 2340 to Org. 5252, Account No. 3453.
4. Approve and authorize the reallocation of \$356,248 of City of Santee HOME Investment Partnerships Program funds to the acquisition/ rehabilitation project on Woodside Avenue/ Taffy Lane in Santee.
5. Approve and authorize the Director, Housing and Community Development, to execute with County Counsel concurrence, all contracts and/or amendments, and take all necessary actions for the submittal and/or regulatory processing for the implementation of the Community Development Block Grant projects and the HOME Investment Partnerships Program projects.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: Set Hearing for 4/11/00, 9:00 a.m.**
 Intention to Sell Real Property – 610 & 620 Tenth Street, Ramona –
 County Parcel 96-0059-A, 96-0060-A
 (Supv. Dist: All)

OVERVIEW:

The County of San Diego owns two Road Fund parcels at 610 and 620 Tenth Street in Ramona that were acquired for the Tenth Street/San Vicente Road project and are now considered to be excess to County needs. The Department of General Services is requesting that these two properties be declared surplus and each property shall be offered for sale to the highest bidder.

FISCAL IMPACT:

If approved and if an all-cash sale is consummated, this request will result in approximately \$90,000 in current Road Fund revenue, no annual revenue, and the addition of no staff years. Alternatively, if terms sales are consummated, this request will result in approximately \$18,000 in current-year revenue, \$6,480 in annual interest-payment revenue for a period of up to five years, the pay-off of the principal balance of approximately \$72,000 at the end of five years or less, and the addition of no staff years. Facilities Management Internal Service Fund sale and staff expenses, if any, will be reimbursed from sale proceeds.

BUSINESS IMPACT STATEMENT:

If both sales are consummated, the existing zoning would allow one single-family dwelling on each parcel, providing an opportunity for new construction activity.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Declare County Parcels 96-0059-A and 96-0060-A surplus to County needs.
2. Find that the proposed sales are not subject to the environmental assessment process as they are categorically exempt under Article 19, Section 15312 of the State of California Environmental Quality Act Guidelines, as it is a sale of surplus government property.
3. Direct the Clerk of the Board to advertise the County's Notice of Intention to Sell in accordance with Government Code Section 6063.
4. Approve and adopt the attached Resolution of Intention to Sell Real Property and Notice Inviting Bids. (4 VOTES)
5. On April 11, 2000, conduct the bid opening and approve the sale of County Parcels 96-0059-A and 96-0060-A to the highest bidder.
6. Authorize the Director, Department of General Services, to perform all necessary actions to complete the sales, including the execution of escrow instructions and a Grant Deed.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-50, entitled: RESOLUTION OF INTENTION TO SELL REAL PROPERTY AND NOTICE INVITING BIDS (DEFERRED PAYMENT TERMS) and set Hearing for April 11, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Roberts, Horn

6. **SUBJECT: Set Hearing for 5/2/00, 9:00 a.m.**
Intention to Enter Into an Option to Purchase and Sale of Surplus Real Property – Melru Lane, Deer Park, North of Escondido - County Parcel No. 99-0218-A
(Supv. Dist: All)

OVERVIEW:

The County of San Diego owns an approximately 434-acre property east of Melru Lane north of the City of Escondido, commonly referred to as “Deer Park”. The County acquired this property in 1972 for use as a drug rehabilitation facility. There are approximately 35 old motel units, 2 utility buildings, a maintenance building, and 3 single-family residences on the subject property. On February 6, 1997, pursuant to Section 54222 of the California Government Code and Board Policy F-51, County Real Property Asset Management, the Department of General Services offered this property to required State agencies and County departments. This property is now considered to be excess to County needs. The Department of General Services is requesting that this property be declared surplus and that an Option to Purchase be offered to the highest bidder. The County currently has written offers and deposits from two groups to enter into an Option to Purchase for this property.

FISCAL IMPACT:

Option to Purchase: If an Option to Purchase is approved for the Deer Park property a minimum of \$50,000 will be received in Fiscal Year 1999/2000. The one-year Option to Purchase may be extended for two one-year periods, if necessary, to allow the Optionee up to three years to process all necessary governmental approvals and complete the sales transaction. If the Option to Purchase is extended one year, an additional option fee of \$100,000 will be received in Fiscal Year 2000/2001, and if the Option to Purchase is extended a second year, an additional option fee of \$150,000 would be received in Fiscal Year 2001/2002.

Sale: If the option is exercised, the county will receive \$2,500,000 (the minimum sales price based on staff appraisal), or more, depending upon the final bid. If the Option to Purchase is exercised and an all-cash sale is consummated in the first year of the option period, a minimum of \$2,500,000 (\$50,000 + \$2,450,000) will be received. If a terms sale is consummated during the first year of the option period, a minimum of \$500,000 (\$50,000 + \$450,000) in cash and annual interest revenue in the minimum amount of \$180,000 will be received. The trust deed balance of at least \$2,000,000 will all be due and payable in five years or less. The sales proceeds could be received this fiscal year, or as late as eight years from now, if the one-year option is extended two additional years and the buyer elects a terms sale.

The proposed transas recommended, on Consentwill result in no additional staff years and there is no cost to the County. Facilities Management Internal Service Fund sale and administrative expenses will be covered by a five percent fee, not to exceed \$125,000 is to be credited to the Internal Service Fund from option payments and sale proceeds. The \$50,000 option payment shall be transferred to the Facilities Management Internal Service Fund upon the expiration of the 90-day Option Refund period.

BUSINESS IMPACT STATEMENT:

The existing zoning and General Plan of the County of San Diego would allow the development of this property for residential estate-type homes. Such development would result in new construction activity. Other uses would be allowable with a major use permit or rezoning. Two religious groups have submitted purchase offers and would most likely use the property for retreat and meeting purposes under a conditional or major use permit or specific plan amendment. This use should also result in some new construction activity.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Declare this County Parcel No. 99-0218-A surplus to County needs.
2. Find that the Option to Purchase and Sale are not subject to the environmental assessment process as a sale of surplus property is categorically exempt under Article 19, Section 15312 of the State of California Environmental Quality Act Guidelines.
3. Direct the Clerk of the Board to advertise the Notice of Intention to Enter into an Option to Purchase and Sale in accordance with Government Code Section 6063.
4. Approve and adopt the attached Resolution of Intention to Enter into an Option to Purchase and Sale of Real Property and Notice Inviting Bids. (4 VOTES)
5. On May 2, 2000, conduct the bid opening and approve the granting of an Option to Purchase of County Parcel No. 99-0218-A to the highest bidder.
6. Authorize the Director, Department of General Services, to perform all necessary actions to complete the sale of this property, including the execution of the Option to Purchase Agreement, escrow instructions, and Grant Deed, and to deposit five percent (5%) of the purchase price, in an amount not to exceed \$125,000, into the Facilities Management ISF for reimbursement of sale costs and administrative expenses.
7. Authorize the Chief Financial Officer, Auditor and Controller, to deposit all net proceeds of this Option to Purchase and Sale into an interest-bearing trust account with disposition of all net proceeds and interest to be referred to FY 00/01 Budget consideration by the Board of Supervisors.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-51, entitled: RESOLUTION OF INTENTION TO ENTER INTO AN OPTION TO PURCHASE AND SALE OF REAL PROPERTY AND NOTICE INVITING BIDS (DEFERRED PAYMENT TERMS) and set Hearing for May 2, 2000, 9:00 a.m, and directed the Chief Administrative Officer to designate the proceeds from the sale of this property to the San Pasqual Academy.

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: Housing Opportunities for Persons With Aids (HOPWA) Funding Recommendations**
(Supv. Dist: All)

OVERVIEW:

The Department of Housing and Community Development publishes a Notice of Funding Availability for the HOPWA program once a year in accordance with direction from the Board of Supervisors on February 23, 1999 (16). This as recommended, on Consent will approve a total expenditure of \$514,400 in Housing Opportunities for Persons with AIDS (HOPWA) funds for two projects proposed in response to the Spring 1999 HOPWA Notice of Funding Availability. If funded, these projects will provide housing and services for the region's low-income persons living with HIV/AIDS and their families.

FISCAL IMPACT:

Funds for this request are budgeted. The funding source is the Housing Opportunities for Persons with AIDS program. If approved, this request will result in \$514,400 current year costs, no annual costs, and will require the addition of no staff years.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve and allocate \$314,400 of Housing Opportunities for Persons with AIDS funds to Health and Human Services Agency, AIDS Case Management Division, for the Intensive Case Management program.
2. Approve and allocate \$200,000 of Housing Opportunities for Persons with AIDS funds to the Tenant Based Rental Assistance Program.
3. Authorize the Director of Housing and Community Development, in consultation with County Counsel, to negotiate, execute, and amend all contracts as necessary to implement the above actions.
4. Authorize the Director of Housing and Community Development to issue a Notice of Funding Availability (NOFA) for the Housing Opportunities for Persons with AIDS program, as necessary, based on funding availability.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: The Clean Contracting Charter Amendment Initiative**
(Supv. Dist: All)

OVERVIEW:

The Clean Contracting Charter Amendment initiative petition was filed with the Registrar of Voters on January 18, 2000. The Registrar has examined the petition and finds it contains a sufficient number of valid signatures to submit to the Board of Supervisors for action. Since this is a proposed Charter amendment, the Board must submit the measure to the voters for adoption or rejection at the November 7, 2000 Presidential General Election.

FISCAL IMPACT:

Funds for this request are budgeted. The funding source is the Registrar of Voters FY 00-01 budget. If approved, this request will result in \$0 current year cost, \$150,000 one-time cost in FY 00-01 and the addition of no staff years.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Adopt the following proposed resolution for placement on the November 7, 2000 ballot:
RESOLUTION REGARDING A PROPOSED INITIATIVE MEASURE ENTITLED "THE CLEAN CONTRACTING CHARTER AMENDMENT".
2. Read the title and waive further reading and introduce for further consideration at the March 21, 2000 meeting the following ordinance (majority vote): AN ORDINANCE CALLING A SPECIAL ELECTION AND ORDERING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE COUNTY FOR ADOPTION OR REJECTION A PROPOSED INITIATIVE MEASURE ENTITLED "THE CLEAN CONTRACTING CHARTER AMENDMENT".
3. Direct the Chief Administrative Officer and the County Counsel to return in 60 days of adoption with a report that provides information on the provisions of the proposed Charter amendment.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-52, entitled: RESOLUTION REGARDING A PROPOSED INITIATIVE MEASURE ENTITLED "THE CLEAN CONTRACTING CHARTER AMENDMENT", and introduced Ordinance for further Board consideration on March 21, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: Ratify Proclamation of Local Emergency for Damaging Conditions Caused By the Mexican Fruit Fly Infestation of October 1999**
(Supv. Dist: All)

OVERVIEW:

Your Board originally ratified the Proclamation of Local Emergency for Damaging Conditions Caused by the Mexican Fruit Fly Infestation of October 1999 on December 7, 1999. The sixth resolution of continuance was due to expire on March 7, because there is no regularly scheduled Board meeting. This proposal will provide for a second proclamation of local emergency to continue to allow local farmers who are affected by this economic disaster to seek assistance.

The Director of Emergency Services of the County of San Diego finds these conditions that have arisen within San Diego County as a result of the infestation of the Mexican Fruit Fly in the Fallbrook area in October 1999, to be of extreme peril to the safety of property, and has issued a second Proclamation of Local Emergency.

Agriculture, Weights and Measures has determined that the need to continue the local emergency for damaging conditions caused by the Mexican Fruit Fly still exists because:

- The Quarantine Area remains at 11,000 acres; it consists of at least 20 different affected crops with an estimated dollar value of \$49 million.
- Emergency measures are still necessary in order to isolate, contain and eradicate the Mexican Fruit Fly through on-site management.
- Emergency mode still exists especially for the growers of produce with no treatment option.

FISCAL IMPACT:

The recommended as recommended, on Consent has no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Ratify Re-Proclamation of Local Emergency made by the Chief Administrative Officer on March 7, 2000.
2. Request the Clerk of the Board to place this matter before the Board for reaffirmation according to the following schedule: March 28, April 11, May 2 and May 16, 2000.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, continuing this matter to March 28, April 11, May 2 and May 16, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: Approval of Revenue Contracts With the State of California**
(Supv. Dist: All)

OVERVIEW:

The Department of Agriculture, Weights and Measures contracts annually with the State of California, Department of Food and Agriculture (CDFA), and the California Environmental Protection Agency, Department of Pesticide Regulation (DPR), to perform mandated activities that protect agriculture, ensure equity in the marketplace, and promote the health and safety of the residents of San Diego County. These activities are performed at the local level in order to deliver better customer service in the inspection of nursery production acreage, egg quality control, insect pest detection, pesticide regulatory activities, and activities involving matters of weighing and measuring accuracy.

Industry supports and funds the enforcement of state standards through taxes and fees paid to the State, some of which are passed on to counties via contracts for specific services. In accordance with this proposal the County agrees to:

- Inspect nursery stock to ensure compliance with State pest cleanliness standards.
- Inspect eggs at wholesale and retail levels to ensure compliance with standards set for the national grading system.
- Deploy and service insect detection traps throughout the county to obtain information on the existence of exotic insect pests of economic importance.
- Submit all reports of production agricultural pesticide use applications to the State electronically.
- Enforce regulations pertaining to the use of restricted pesticides.
- Enforce the Organic Foods Act.
- Inspect petroleum and automotive products for compliance with advertising and labeling requirements.
- Audit licensed weigh master records and conduct verification inspections for compliance with the Business and Professions Code.

Provide technical training and assistance to local agency personnel on protocols relating to Red Imported Fire Ant (RIFA), and maintain a database of RIFA information, establish a public outreach program on RIFA activities, and provide RIFA pesticide treatment as needed.

FISCAL IMPACT:

The costs and offsetting revenue for this proposal are budgeted in the Department of Agriculture, Weights and Measures' FY 1999-00 Adopted Budget. This proposal includes \$1,274,731 in contract revenue, and \$153,696 in state subvention offsets (unclaimed gas tax) for a total of \$1,428,427 in program revenue. Also included are \$1,505,430 in direct program costs, and \$150,543 in departmental indirect costs for a total of \$1,655,976. Not included in the Adopted Budget is \$180,652 in external A-87, Competitive Procurement costs (listed in Table A). The net cost of conducting these programs is \$227,549, which is only 14% of total program costs, and eight cents per capita per year.

BUSINESS IMPACT STATEMENT:

Agriculture is the fourth largest industry in San Diego County and in 1998, ranked eighth statewide with an estimated value of \$1.2 billion. The production value of nursery and flower crops in San Diego County is ranked No.1 in the nation at \$722 million, and accounts for over 25% of all nursery and flowers crops grown statewide. Egg production is ranked No. 2 statewide at \$55 million. The prevention of a fruit fly infestation protects approximately \$180 million in potential exports, and the pesticide regulatory activities generate valuable data that results in the protection of growers, workers, the public and the environment. From making sure that scales and scanners in the marketplace are correct, to preventing new pests from being introduced to California through illegal shipment of produce or plants, to ensuring that workers wear protective equipment when applying pesticides, this proposal protects our economy, health and the environment.

The total cost to the citizens of San Diego County for the Department of Agriculture, Weights and Measures to provide invaluable regulatory oversight and services for the preservation of this viable industry, is approximately eight cents per capita per year. The benefits of these activities far outweigh the cost of this proposal, providing a first line of defense against the introduction of new pests, one of the strongest pesticide regulation programs in California, an assurance to customers that eggs consumed are of the highest quality, and the assurance of equity in the marketplace.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find that approval of the contracts is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections specified below:
 - a. Contracts to inspect nursery stock, eggs, petroleum and automotive products: exempt pursuant to CEQA Guidelines section 15309 as inspection activities;
 - b. Contracts to deploy and service insect traps and to record and transmit pesticide use information: exempt pursuant to CEQA Guidelines section 15306 as collection of data and information;
 - c. Contracts to enforce regulations pertaining to use of restricted pesticides and pertaining to weigh master and to enforce the organic Foods Act: exempt pursuant to CEQA Guidelines section 15321 as enforcement actions; and
 - d. Contract to conduct surveys for the presence of Red Imported Fire Ants and to ensure compliance with federal and state treatment regulations: exempt pursuant to CEQA Guidelines sections 15306 as collection of data and information and section 15321 as enforcement action.
2. Find that pesticide treatment of RIFA is exempt from further environmental review because the activity is covered by the State Department of Food and Agriculture's Certified Regulatory Program for pesticide regulation pursuant to CEQA Guidelines section 15251(i).

3. Contract to conduct surveys for the presence of Red Imported Fire Ants and to ensure compliance with federal and state treatment regulations: exempt pursuant to CEQA Guidelines sections 15306 as collection of data and information and section 15321 as enforcement action.
4. Waive Board Policy B-29; Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery.
5. Designate the Department of Agriculture, Weights and Measures as lead agency to oversee the major components (detection, monitoring of treatments, and public outreach) of the Red Imported Fire Ant program.
6. Approve and authorize execution, by the Clerk of the Board, of the contracts (as listed in Table A) for varying time periods, ranging from one to five years, and ending between June 30, 2000 and June 30, 2004.
7. Authorize the Clerk of the Board to execute any amendments, renewals, and extensions of these revenue contracts that do not result in a net cost increase to the County.
8. Authorize the Agricultural Commissioner/Sealer of Weights and Measures to administer the contracts in this proposal.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: McClellan-Palomar Airport -- Resolution Approving Application to Federal Aviation Administration for Noise Control and Land Use Compatibility Study Grant (Carryover Item from 2/15/00, Agenda No. 48) (Supv. Dist: 5)**

OVERVIEW:

Supervisors Pam Slater and Bill Horn Board letter adopted February 15, 2000 (48).

McClellan-Palomar Airport in North County is one of the busiest single-runway airports in the nation, serving general aviation, corporate aircraft and commercial service flights. Because airport noise is a community concern, the Board has directed a grant application be submitted to the Federal Aviation Administration for a noise study.

The Federal Aviation Administration controls airspace around the airport and regulates the type and scope of noise abatement program used at the airport. Before any changes can be made to the program, a noise study must be conducted. A noise study would define the noise environment, identify compatible and incompatible land uses for areas within noise contours, and establish a noise abatement program. The Federal Aviation Administration has a grant program through which the County can apply for 90 percent funding for a Federal Aviation Regulation Part 150 Study.

This is a request to adopt a Resolution approving application for, and acceptance of, a grant agreement for \$225,000 from the Federal Aviation Administration Airport Improvement Program for preparation of a Part 150 Noise Study at McClellan-Palomar Airport; and appointing the Director, Department of Public Works, as the County agent to coordinate, process, and execute all necessary documents.

FISCAL IMPACT:

Funding for this proposal will be included in the FY 00-01 Proposed Operation Plan, unless funding becomes available during this fiscal year. Funding sources will be the Federal Airport Improvement Program (90% or \$225,000) and the Airport Enterprise Fund (10% or \$25,000). Total study cost would be approximately \$250,000. If the FAA offers a grant during this fiscal year, staff will return to the Board with a proposal to modify the FY 99-00 Airport Enterprise Fund Adopted Operation Plan, and to establish appropriations. The study will result in no annual cost and will require no additional staff years. There will be no impact to the General Fund.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find in accordance with Section 15306 of the State California Environmental Quality Act (CEQA) Guidelines, that the Part 150 Noise Study is categorically exempt from provisions of the Guidelines as it consists of data collection, research and resource evaluation activities in connection with the Noise Study, which will not result in disturbance to the environment.
2. Adopt a Resolution entitled Resolution of the San Diego County Board of Supervisors Approving the Application and Grant Agreement (Contingent upon FAA approval) for Funding under the Airport Improvement Program for a Noise Control and Land Use Compatibility Study at McClellan-Palomar Airport; and Appointing the Director of Public Works, as Agent for the County to Coordinate, Process and Execute all Necessary Documents.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, adopting Resolution 00-53, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING THE APPLICATION AND GRANT AGREEMENT (CONTINGENT UPON FAA APPROVAL) FOR FUNDING UNDER THE AIRPORT IMPROVEMENT PROGRAM FOR A NOISE CONTROL AND LAND USE COMPATIBILITY STUDY AT MCCLELLAN-PALOMAR AIRPORT; AND APPOINTING THE DIRECTOR OF PUBLIC WORKS, AS AGENT FOR THE COUNTY TO COORDINATE, PROCESS AND EXECUTE ALL NECESSARY DOCUMENTS.

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: Nutrition Education for Lead Poisoning Prevention**
(Supv. Dist: All)

OVERVIEW:

Lead poisoning in children results in learning disabilities and behavioral problems, and, if not detected and treated could cause death. Scientific research indicates that poor nutrition makes children more vulnerable to lead poisoning. The Health and Human Services Agency provides limited lead poisoning related nutrition education for parents and caregivers for young children as part of the State Lead Poisoning Case Management revenue agreement that was approved by the Board on December 8, 1998 (40). This item requests Board approval to accept an additional \$11,378 in State funding to expand the nutrition education component of the County's Lead Poisoning Case Management program

FISCAL IMPACT:

The FY 1999-2001 Health and Human Services Agency Operational Plan includes \$497,405 based on the State Lead Poisoning Case Management revenue agreement. If approved, this request will result in an increase in current year revenue and direct costs of \$ 8,534 and subsequent year revenue and direct costs of \$ 2,844. It will require no additional staff years and no change to net General Fund costs.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Ratify and authorize the Clerk of the Board to execute, upon receipt, the revenue agreement with the State Department of Health Services for the Lead Poisoning Nutrition Education program in the amount of \$11,378 for the period October 1, 1999 through September 30, 2000, and any amendments, extensions or renewals that do not materially impact or alter the grant program or funding level.
2. Establish appropriations of \$ 8,534 in the Health and Human Services Agency, based on unanticipated revenue from the State revenue agreement for the Lead Poisoning Nutrition Education program. (4 VOTES)

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

14. **SUBJECT: Appropriation of New HIV Prevention Funds**
(Supv. Dist: All)

OVERVIEW:

On December 7, 1999 (4), the Board authorized acceptance of the 1999-2000 State AIDS Master Grant Agreement for HIV prevention and surveillance activities. On February 15, 2000 (11), the Board authorized amendments to the agreement to expand community-based HIV education and prevention activities, and authorized the Director, Health and Human Services Agency to seek additional funds for these services. This item requests authority to accept and appropriate revenues for three new HIV prevention grants from the State Department of Health Services' High Risk Initiative, and to authorize negotiation of a sole source contract to establish services in the underserved North Inland region.

FISCAL IMPACT:

Funds for this request are not budgeted. If approved, this request will result in an increase of \$161,666 in current year costs and revenue, for a program total of \$2,025,797, and an increase of \$485,000 in subsequent year costs and revenue, for a total of \$2,170,330, based on the State AIDS Master Grant Agreement. There is no change to net General fund cost and no additional staff years are required.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery.
2. Establish appropriations of \$161,666 in the Health and Human Services Agency Office of Public Health, for HIV/AIDS services, based on unanticipated revenue from the AIDS Master Grant Agreement for the period March 1, 2000 through June 30, 2000 (4 VOTES).
3. Ratify and authorize the Clerk of the Board to execute, upon receipt, amendments to the State AIDS Master Grant revenue agreement in the amount of \$161,666 with the California Department of Health Services to provide additional community-based HIV education and prevention services for the period March 1, 2000 to June 30, 2000, and to execute subsequent amendments, extensions and renewals of the State revenue contract that do not materially impact or alter the program or funding level.

4. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Deputy Director of Purchasing and Contracting to negotiate a sole source contract with Escondido Community Health Center for the period March 14, 2000 through June 30, 2000 with four option years through June 30, 2004, and to amend the contract as required for changes to services and funding allocations, subject to the approval by the Director, Health and Human Services Agency. Waive the advertising requirement of Board Policy A-87, Competitive Procurement.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

15. **SUBJECT: Procurement of Refugee Elderly Services**
(Supv. Dist: All)

OVERVIEW:

The County of San Diego receives Refugee Resettlement funds to assist refugees to obtain employment. The County's Refugee Employment Services program is operated through contracts with service provider organizations competitively selected in 1998. The program's goals, strategies, and services are specified in the Refugee Employment Services Plan approved by the Board of Supervisors on April 28, 1998 (23). The plan is effective through June 30, 2001.

In 1999, the California Department of Social Services, Refugee Programs Branch, solicited proposals from service providers throughout California to implement elderly refugee services funded by federal discretionary revenue. Two local collaboratives were selected by the State to provide these services within San Diego County. Fiscal agents for the collaboratives are Alliance for African Assistance and the International Rescue Committee. The Refugee Programs Branch had initially intended to contract with these organizations directly, but subsequently determined to allocate discretionary funds to counties to contract with the selected agencies for implementation of the elderly services.

Additionally, the State allocated federal set-aside revenue to provide outreach, referral services and child care access for refugees. The discretionary and additional federal funding will support outreach, referral, and interpreter services provided by the two collaboratives, increasing refugees' access to mainstream support services such as nutrition and medical care.

The State's allocation notice to the County of San Diego named the fiscal agents and collaborating organizations whose proposals it had accepted for elderly services. Board as recommended, on Consentis requested today to approve sole-source contracts with the two organizations. It is anticipated that the new contracts will be effective March 14, 2000 through September 30, 2000, with options for one additional year through September 30, 2001. This request is consistent with the Board-approved Refugee Employment Services Plan.

FISCAL IMPACT:

Funds for this request are budgeted. If approved, this request will result in current year and subsequent year cost and revenue of \$173,970. The funding source is the Federal Office of Refugee Resettlement and the cost is totally offset. There is no change to net General Fund cost and no additional staff years are required.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

In accordance with Board Policy A-87, Competitive Procurement, authorize the Deputy Director of Purchasing and Contracting to negotiate sole source contracts, for elderly refugee services, with the International Rescue Committee and the Alliance for African Assistance, for an initial period from March 14, 2000 through September 30, 2000, and a single renewal year from October 1, 2000 through September 30, 2001, and to amend the contracts as required for changes in services and funding allocations, subject to approval by the Director of the Health and Human Services Agency. Waive the advertising requirement of Board Policy A-87, Competitive Procurement.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

16. **SUBJECT: Child Support Enforcement Program Lease**
(Supv. Dist: All)

OVERVIEW:

This is a request to authorize the Department of General Services to negotiate and to renew a lease for approximately 68,734 square feet of space at 225 Broadway, San Diego for the Child Support Enforcement program. The unparalleled success of the Child Support program in recent years - including a three fold increase in collections for children - has required resources of staff and space. This approval will consolidate Child Support program operations at the Home Savings building, moving them from the Hall of Justice, and will allow for the location and expansion of District Attorney initiatives approved by the Board of Supervisors in the Hall of Justice.

FISCAL IMPACT:

If approved, this as recommended, on Consent will result in additional costs and revenues of \$2,026,532 in Fiscal Year 1999-2000 based on State authorized spending levels not anticipated in the development of the 1999-2000 Adopted Operational Plan. This appropriation will allow negotiations to include the prepayment of lease costs in the current fiscal year if of benefit to the County, up to the annual amount of \$1.3 Million. It will also fund other equipment upgrades authorized in the State's budget approval process. Lease costs through Fiscal Year 2000-2001 are estimated in the amount of \$544,812 with an annual cost of \$1,300,000. Continuing lease costs will be included in the Operational Plan for 2000-2002 once negotiations are concluded. All costs will be offset by Federal Title IV-D and State General Fund revenue. This is no net County General Fund cost associated with this program. This as recommended, on Consent will result in no staff year changes.

RECOMMENDATION:**DISTRICT ATTORNEY AND CHIEF ADMINISTRATIVE OFFICER:**

1. Find, in accordance with Section 15306 of the California Environmental Quality Act Guidelines (CEQA), that this project is categorically exempt from the provisions of CEQA, because it consists of a study leading to a possible as recommended, on Consent which the Board has not yet approved, adopted or funded.
2. Waive the provision of Board Policy F-22, Lease of Real Property for County Use, requiring a market search.
3. Approve in principle the leasing of approximately 35,619 square feet of new space, the renewal of 23,817 square feet of existing leased space, and the temporary lease of 9,298 square feet for 18 months at 225 Broadway, San Diego and authorize the Director, Department of General Services to negotiate the terms for a new lease. The Director of General Services will return to the Board with a lease contract upon successful completion of negotiations.
4. Establish appropriations in the amount of \$111,369 in the District Attorney's Office for Services and Supplies based on accumulated interest earned on the District Attorney reserve designation (Account 0783). (4 Votes)
5. Establish appropriations of \$1,915,163 in the District Attorney's Office as follows: Lease Costs \$1.3 Million, Fixed Assets - general office equipment \$70,000, Fixed Assets - modular furniture \$300,000 and Services and Supplies \$245,163 based on unanticipated revenues authorized by mid-year implementation of a State budgeting process. (4 Votes)

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

17. **SUBJECT: Approval to Travel Out of Country**
(Supv. Dist: All)

OVERVIEW:

In accordance with Board of Supervisor's Policy D-7 (9), this is a request for one Deputy District Attorney and one District Attorney Investigator to travel to London, England to speak at the National Police Training College regarding stalking investigation and prosecution, including the multiagency Stalking Strike Force and the San Diego County model Stalking Case Assessment Team. The cost will be the the participants' salary. All other costs are being reimbursed by the National Police Training College.

FISCAL IMPACT:

There is no fiscal impact as a result of this request. There will be no paid overtime as a result of this request. All costs of travel our being paid by the National Police Training College. The salary of the Deputy District Attorney and the District Attorney Investigator is budgeted in the Office of the District Attorney and supported by COPS/Brulte funds for the support of the Stalking Unit.

RECOMMENDATION:

DISTRICT ATTORNEY:

Approve the travel to London, England for one Deputy District Attorney and one District Attorney Investigator.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

18. **SUBJECT: Sheriff's Department Acceptance of California DNA Consortium Program Grant from the Office of Criminal Justice Planning**
(Supv. Dist: All)

OVERVIEW:

This is a request to authorize the acceptance of a \$34,150 grant from the California Office of Criminal Justice Planning for the "California DNA Consortium Program." The program will be conducted by the San Diego Sheriff's Crime Laboratory. These funds will be used to enhance the Crimes Laboratory's DNA program by providing training, equipment and supplies.

FISCAL IMPACT:

Funds for this request are not budgeted. The funding source is the California Office of Criminal Justice Planning. If approved, this request will result in \$34,150 additional current year direct costs and revenue, no annual cost, and will require the addition of no staff years. Waiver of Board Policy B-29 is requested because overhead/administrative costs, estimated at less than \$1,000, are not recoverable under this grant and will be absorbed by the Sheriff's Department. There is no local match requirement. Additionally, the Department has sufficient funds to cover maintenance costs for the equipment being purchased.

RECOMMENDATION:

SHERIFF:

1. Waive Board Policy A-91, Mid-Year Budget Changes.
2. Waive Board Policy B-29, Fees, Grants, Revenue Contract – Department Responsibility for Cost Recovery.
3. Authorize the acceptance of a grant of \$34,150 from the California Office of Criminal Justice Planning for the “California DNA Consortium Program” for the period of February 1, 2000 to January 30, 2001.
4. Authorize the Sheriff to review and execute on the Board’s behalf any extensions, amendments, or revisions to the “California DNA Consortium Program” grant from California Office of Criminal Justice Planning that do not materially impact or alter either the grant program or funding level.
5. Establish appropriations of \$34,150 in the Sheriff’s Department for the “California DNA Consortium Program” at the Sheriff’s Crime Laboratory based on the unanticipated grant revenue from the California Office of Criminal Justice Planning. (4 votes)
6. Adopt a resolution of the County of San Diego to authorize the Sheriff to submit and/or sign San Diego County’s application for funding, related contracts, amendments or extensions with the California Office of Criminal Justice Planning.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Concur.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-54, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO.

AYES: Cox, Jacob, Slater, Roberts, Horn

19. **SUBJECT: Sheriff Department’s Procurement of Hazardous Duty Mobile Robot**
(Supv. Dist: All)

OVERVIEW:

The Sheriff Department's adopted budget for Fiscal Year 1999/00 contains funding for a hazardous duty mobile robot. Sole source purchase of a Remotec Andros Mark VI-A hazardous duty mobile robot is requested because it is the only robot that will meet our safety needs - the Sheriff's Department will not compromise the safety of its officers by obtaining a robot with less capability than that of the Andros Mark VI-A. It is the primary robot used at the FBI's National Bomb Training Center, has several unique safety features, and is manufactured in the United States. The Andros Mark VI-A is the state of the art in tactical/bomb vehicles. It is used by military organizations, law enforcement agencies, nuclear facilities, and research laboratories.

FISCAL IMPACT:

Funds for this request are budgeted within the Sheriff's Department FY 1999/00 budget. The funding source is Brulte funds. If approved, this request will result in estimated current year costs of \$150,000 and will not require the addition of any staff years.

RECOMMENDATION:

WILLIAM B. KOLENDER, SHERIFF:

1. Waive the advertising requirement of Board Policy A-87, Competitive Procurement.
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Purchasing and Contracting Deputy Director to enter into negotiations with Remotec, Inc.; and subject to successful negotiations and determination of a fair and reasonable price, award a contract for an Andros Mark VI-A hazardous duty mobile robot.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Concur.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

20. **SUBJECT: Additional Service Credit for Retirement Pertaining to One Department**
(Supv. Dist: All)

OVERVIEW:

On October 26, 1999, your Board received the enrolled actuarial report concerning a two-year additional service credit for retirement eligible Marshal's Office employees who were to be temporarily retained by the Sheriff's Department to facilitate the consolidation of the Marshal's Office with the Sheriff.

FISCAL IMPACT:

All costs related to the provision of this additional service credit option will be borne by the Sheriff's Department and paid for within existing budgeted resources. The actuary's estimated cost for providing additional service credit for the retirement of the eligible employee is \$66,127.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt a resolution providing two (2) additional years of service credit for a specified eligible member of the County Retirement system, employed in the Sheriff's Department, retiring during the following period: March 15, 2000 through March 31, 2000.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-55, entitled: RESOLUTION PROVIDING ADDITIONAL SERVICE CREDIT FOR A SPECIFIED MEMBER OF THE COUNTY RETIREMENT SYSTEM RETIRING FROM THE SHERIFF'S DEPARTMENT DURING THE PERIOD MARCH 15, 2000 TO MARCH 31, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

21. **SUBJECT:** **Sheriff's Department Request for Approval of Out of Country Travel**
 (Supv. Dist: All)

OVERVIEW:

In accordance with Board of Supervisors Policy D-7, this is a request for one Sheriff's Captain to travel to Montreal, Canada, to participate in the Law Enforcement Intelligence Unit executive board meeting and conference to be held on May 20-26, 2000.

FISCAL IMPACT:

Funds for this request are budgeted. The funding source is the Sheriff's FY 1999/2000 budget. If approved, this request will result in \$2,500 current year costs. No overtime costs will be incurred as a result of this trip.

RECOMMENDATION:

SHERIFF:

Approve travel to Montreal, Canada, for one Sheriff's Captain to attend the Law Enforcement Intelligence Unit executive board meeting and conference.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Concur.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

22. **SUBJECT: San Diego Museum of Art – Tax Exempt Financing**
(Supv. Dist: All)

OVERVIEW:

San Diego's Museum of Art is San Diego's largest museum, located in the center of Balboa Park. Proceeds of the proposed financing will be used for deferred maintenance, improvements to current facilities, and for the replacement of the HVAC system.

The County's Debt Advisory Committee recommendations are based upon several factors, including but not limited to, the financial health and track record of the Museum, the prominence, location, reputation and capable management team of the Museum, benefits to the region, and the credit enhancement provided by Allied Irish Banks, p.l.c.

FISCAL IMPACT:

If approved, this proposal will result in approximately \$600 of annual revenue to be used to fund the County's Investor Relations Program as approved by the Board of Supervisors in the County's Debt Management Policy (B-65). No additional staff years will be required.

RECOMMENDATION:

COUNTY'S DEBT ADVISORY COMMITTEE AND CHIEF ADMINISTRATIVE OFFICER:

1. Adopt the resolution approving the issuance of tax-exempt Certificates of Participation for the San Diego Museum of Art in an amount not to exceed \$6 million.
2. Approve the proposed Official Statement, Line of Credit and Reimbursement Agreement, Installment Purchase Agreement, Installment Sale Agreement, and Trust Agreement.
3. Authorize County Counsel to approve such changes to the various documents as may be necessary to carry out the intent of the Resolution.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, adopting Resolution No. 00-56, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING THE ISSUANCE, EXECUTION AND DELIVERY OF AN INSTALLMENT PURCHASE AGREEMENT WITH A PRICE NOT TO EXCEED \$6,000,000 (AND THE EXECUTION, DELIVERY AND SALE OF CERTIFICATES OF PARTICIPATION WITH RESPECT THERETO) TO FINANCE THE ACQUISITION, CONSTRUCTION, RENNOVATION AND EQUIPPING OF CERTAIN FACILITIES OF THE SAN DIEGO MUSEUM OF ART AND OTHER MATTERS RELATING THERETO.

AYES: Cox, Jacob, Slater, Roberts, Horn

RECOMMENDATION:

CHAIRWOMAN JACOB:

1. Direct the Chief Administrative Officer (CAO) to develop a list of courses from accredited colleges and universities in San Diego County and nationally accredited schools that provide courses through teleconferencing which could be offered for County employees at County facilities.
2. Direct the CAO to conduct a survey of County employees using payroll inserts or E-mail to determine the level of interest in participating in the available courses.
3. Direct the CAO to work with the colleges and universities to coordinate a teaching schedule for those courses obtaining an adequate level of interest from the County workforce and develop an outreach program to inform County employees of the available classes and schedules of classes to be available at County facilities.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended on Consent

AYES: Cox, Jacob, Slater, Roberts, Horn

25. **SUBJECT: Communications Received**
(Supv. Dist: All)

OVERVIEW:

Board Policy A-72, Board of Supervisors Agenda and Related Process, authorizes the Clerk of the Board to prepare a Communications Received for Board of Supervisors' Official Records. Routine informational reports which need to be brought to the attention of the Board of Supervisors yet not requiring as recommended, on Consent are listed on this document. Communications Received documents are on file in the Office of the Clerk of the Board.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Note and file.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

26. **SUBJECT: Administrative Item:**
Appointments
(Supv. Dist: All)

OVERVIEW:

These appointments are in accordance with applicable Board Policies A-74, Citizen Participation in County Boards, Commissions and Committees; A-77, Appointments to Fill Vacancies and Cancellation of Election and Citizen Planning Group Election and Procedures for Appointments to Resource Conservation District Boards; I-1, Planning and Sponsor Group Policies and Procedures; and Welfare and Institutions Code, Division 4.5, Chapter 4, Section 4570 through 4613, which provide that six of the seventeen members of the Area XIII Board on Developmental Disabilities serving San Diego and Imperial Counties, shall be nominated by the County of San Diego Health Services Advisory Board and appointed by the Board of Supervisors.

RECOMMENDATION:

SUPERVISOR COX:

Appoint Maureen D. Piwowarski to the Mental Health Board as the at-large public representative, for a term to expire March 14, 2003.

RECOMMENDATION:

SUPERVISOR HORN:

Confirm the appointment of Sandra Farrell to Seat No. 1 on the Twin Oaks Community Sponsor Group, for a term to expire January 1, 2001.

Confirm the following appointments to the Morro Hills Community Service District: Tom Warner to fill the vacancy created by the resignation of Don Johnson, for a term to expire in 2000, and Alan Sprankle to fill the vacancy created by the resignation of Phyllis Miller and Ron Kennedy to fill the vacancy created by the resignation of Dusty Burgmans, for terms to expire in 2002.

Appoint Jim Conrad to the San Diego County Fish and Wildlife Advisory Commission to fill a vacancy created by the resignation of Slader Buck, for a term to expire January 6, 2003.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Appoint the following to the Emergency Medical Care Committee: Chief Gary Adams as the San Diego County Fire Chiefs' Association representative and Chief Roger Purdie as the alternate representative, for terms to expire March 14, 2003, and appoint Commander Charles Nixon, M.D. as the Military Agencies representative, for a term to expire March 14, 2003.

Reappoint Cynthia de Gruchy and Tom Comport to the Area XIII Board on Developmental Disabilities, for terms to expire December 31, 2002 and appoint Ann Morin for a term to expire December 31, 2000.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Slater, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

27. **SUBJECT: Closed Session**
(Supv. Dist: All)

- A. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Anticipated litigation pursuant to section (b) of Government Code section 54956.9
No. of Potential Cases: 1
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Rural Heritage and Watershed Initiative Committee v. County of San Diego, et al.; Superior Court No. 726395
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
County of San Diego v. City of San Marcos; Riverside County Superior Court No. 292531 (landscaping case)
- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Dianne Finney v. County of San Diego, et al.; North County Superior Court No. N82494
- E. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Public Defender Association of San Diego County v. County of San Diego; San Diego Superior Court No. 710286
- F. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Daisy Canseco, et al. v. County of San Diego, et al.; United States District Court No. 98-CV-2028-JM

ACTION:

County Counsel reported the following: 1) Item A, Terry Ann, Mia Victoria and George Gowlovech v. County of San Diego, the Board of Supervisors authorized County Counsel to settle the claims in the amount of \$100,000; 2) Item B, Rural Heritage and Watershed Initiative Committee v. County of San Diego, the Board of Supervisors authorized County Counsel to settle a claim of attorneys' fees and costs in the amount of \$65,000; 3) Item C, County of San Diego v. City of San Marcos and San Elijo Ranch v. County of San Diego, the Board of Supervisors authorized County Counsel to reject a settlement offer of \$500,000 in connection with these cases; 4) Item D, Dianne Finney v. County of San Diego, the Board of Supervisors authorized County Counsel to reject plaintiffs' settlement demand of \$400,000; and 5) Item E, Public Defender Association of San Diego County v. County of San Diego, the Board of Supervisors authorized County Counsel to authorize a payment of attorneys' fees and costs in the amount of \$20,104.75, plus interest.

28. SUBJECT: Presentations/Proclamations

Chairwoman Jacob introduced the pet of the week, Christian, a six-year-old neutered male Beagle/Australian cattle dog mix.

Chairwoman Jacob presented a Proclamation to Dr. Robert Blanchard honoring Technology Month and Coleman College.

Supervisor Slater presented a Proclamation to David Schneider, honoring National Mental Retardation Awareness Month.

Supervisor Slater and Supervisor Cox presented a Proclamation Candace Shuman, Maggie Houlihan and Barbara Green, honoring Spay Month USA.

Supervisor Horn and Supervisor Cox presented a Proclamation to Patty Boles, and Rudy and Nadine Sahagun, co-awardees honoring Foster Parents of the Year.

29. SUBJECT: Public Communication

Peter Lavelle addressed the Board requesting the County's assistance with a new Boy's Town being built in Campo.

William Claycomb addressed the board regarding Supervisor Roberts' February 8, 2000 speech, as better set out in Board of Supervisors Exhibit C.

Don Stillwell addressed the board requesting the Board address the problem of traffic impacts as they relate to the proposed downtown ballpark.

Ken Loch addressed the board regarding the Unified Theory of the Arts and Sciences.

James Lambert addressed the Board thanking the County Cable Oversight Committee and Cox Cable for allowing the Fox News Channel in San Diego, as better set out in Board of Supervisors Exhibit B.

ACTION:

Heard; referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 3:02 p.m. in memory of. E. Joan Cesinger, Gladden Elliott, Wigbert Wiederholt, Rollin Eckis, Scott McIntyre, Mark Dennison Woodard, Emily Ritter, Richard Wareham, and Ernie Hunt.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by:

Tominia - Consent

Tominia, Andoh - Discussion

Egan - Closed Session

- - -

NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.